

# MAINE STATE LEGISLATURE

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R.D.S.

L.D. 1892

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DATE: (Filing No. H- 925 )

MINORITY  
AGRICULTURE, CONSERVATION AND FORESTRY

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "B" to H.P. 1390, L.D. 1892, Bill, "An Act to Implement the Compact for Maine's Forests"

Amend the bill by striking out the title and substituting the following:

**'Resolve, to Create the Blue Ribbon Commission on the Maine Forests'**

Further amend the bill by striking out everything after the title and before the summary and inserting in its place the following:

**'Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and**

**Whereas, measures affecting the future of the Maine forest deserve the widest opportunity for public input and deliberative consideration by the Legislature; and**

**Whereas, those processes require more time than is available during this special session; and**

**Whereas, as an emergency measure, this resolve provides sufficient time for public input and for legislative consideration of the substantive public policy issues involved in the forestry debate; and**

**Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it**

**COMMITTEE AMENDMENT**

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2           **Sec. 1. Blue ribbon commission established. Resolved:** That the  
Blue Ribbon Commission on the Maine Forests, referred to in this  
resolve as the "commission," is established; and be it further

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6           **Sec. 2. Duties. Resolved:** That the duties of the commission are  
to prepare and submit a report to the First Regular Session of  
the 118th Legislature pertaining to forest practices in the  
8 State. The report, which may include any legislation necessary  
to implement the recommendations of the commission, must be  
10 submitted to the Legislature not later than January 15, 1997.  
The report must include recommendations on the following issues:

- 12                   1. Standards governing clear-cuts;
- 14                   2. Standards governing forestry management practices other
- 16 than clear-cuts;
- 18                   3. A process allowing for permit conditions, variances or
- 20 other forms of limited exemption from the standards for
- landowners who agree to practice sustainable forestry under an
- 22 approved set of guidelines;
- 24                   4. Enforcement provisions that allow the State to
- adequately enforce the proposed standards;
- 26                   5. Clear penalty provisions for persons who violate the
- standards; and
- 28                   6. Any other provisions the commission determines necessary
- 30 to the proposal; and be it further

32           **Sec. 3. Membership. Resolved:** That the commission consists of  
14 voting members and 2 nonvoting members, appointed as follows.

- 34                   1. Not later than October 1, 1996, the Governor shall
- 36 appoint the following members to the commission:
- 38                   A. Two persons who each own more than 100,000 acres of
- 40 forest land in the State;
- 42                   B. Two persons who each own fewer than 100,000 acres of
- forest land in the State who represent owners of small and
- 44 medium-sized woodlots;
- 46                   C. Two persons who represent environmental interests;

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COMMITTEE AMENDMENT "B" to H.P. 1390, L.D. 1892

2 D. One person who represents fish and wildlife interests;  
and

4 E. One person who represents the organization known as "Ban  
6 Clearcutting."

8 2. Not later than October 1, 1996:

10 A. The President of the Senate shall appoint the following  
12 3 members of the commission: one Senator, who shall serve  
14 as the chair of the commission, who is a member of the Joint  
Standing Committee on Agriculture, Conservation and  
Forestry; one Senator who is a member of the Joint Standing  
Committee on Natural Resources; and one public member; and

16 B. The Speaker of the House of Representatives shall  
18 appoint the following 3 members of the commission: one  
20 member of the House of Representatives who is a member of  
22 the Joint Standing Committee on Agriculture, Conservation  
and Forestry; one member of the House of Representatives who  
is a member of the Joint Standing Committee on Natural  
Resources; and one public member.

24 3. The Commissioner of Conservation and the Commissioner of  
26 Inland Fisheries and Wildlife are ex officio, nonvoting members  
of the commission; and be it further

28 **Sec. 4. Meetings. Resolved:** That the chair of the commission  
shall call all meetings of the commission. The commission shall  
30 hold at least 4 public meetings that are advertised at least 2  
32 weeks in advance in at least 2 weekend newspapers of broad  
circulation within the State. At least 9 voting members of the  
commission must be present in order for the commission to conduct  
34 any business. The commission shall vote on its final  
36 recommendations in a public meeting and by recorded vote; and be  
it further

38 **Sec. 5. Compensation. Resolved:** That voting members of the  
commission are entitled to reimbursement for expenses related to  
40 meetings of the commission; and be it further

42 **Sec. 6. Staff. Resolved:** That the Department of Conservation,  
Bureau of Forestry shall provide staff and support services to  
44 the commission within its existing budgeted resources; and be it  
further

46 **Sec. 7. Appropriation. Resolved:** That the following funds are  
48 appropriated from the General Fund to carry out the purposes of  
this resolve.  
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1996-97

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LEGISLATURE

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Blue Ribbon Commission on the Maine Forests

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Personal Services	\$1,100
All Other	8,000

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TOTAL	\$9,100
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Provides funds for the per diem of legislative members, expenses of voting members, public hearing costs and miscellaneous expenses of the Blue Ribbon Commission on the Maine Forests.

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**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.'

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Further amend the bill by inserting at the end before the summary the following:

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FISCAL NOTE

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1996-97

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APPROPRIATIONS/ALLOCATIONS

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General Fund	\$9,100
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The Legislature will require a General Fund appropriation of \$9,100 in fiscal year 1996-97 for the per diem of legislative members, expenses of voting members, public hearing costs and miscellaneous expenses of the Blue Ribbon Commission on the Maine Forests.

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The additional costs associated with providing staff and support services to the commission will be absorbed by the Bureau of Forestry within the Department of Conservation utilizing existing budgeted resources.'

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SUMMARY

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This amendment is the minority report of the committee. The amendment strikes everything in the bill, changes its title and replaces the bill with language that creates the Blue Ribbon Commission on the Maine Forests. The commission consists of 14 voting members, 8 appointed by the Governor and 6 appointed by

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COMMITTEE AMENDMENT " 8 " to H.P. 1390, L.D. 1892

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2 the Legislature. All appointments must be made no later than  
3 October 1, 1996. The Commissioner of Inland Fisheries and  
4 Wildlife and the Commissioner of Conservation are ex officio,  
5 nonvoting members of the blue ribbon commission. The commission  
6 is directed to hold at least 4 public meetings and submit its  
7 report and any implementing legislation to the First Regular  
8 Session of the 118th Legislature not later than January 15, 1997.

9 This amendment makes the bill an emergency. Voting members  
10 of the Blue Ribbon Commission on the Maine Forests are entitled  
11 to reimbursement of expenses for commission meetings.

12 This amendment does not constitute a competing measure and  
13 would not appear as an alternative on the ballot in November.

14 The amendment also adds an appropriation section and a  
15 fiscal note to the bill.